IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

MONDAY, THE 1ST JANUARY 2007 / 11TH POUSHA 1928

RP.No. 322 of 2005()

AGAINST THE ORDER IN CRP.2547/1998 Dated 22/03/2005
LB(B).2.23308/1987 of TALUK LAND BOARD, TRIVANDRUM

.....

REVIEW PETITIONER/REVISION PETITIONERS:

---

1. DEVASSY JOSEPH, PARAKKAL HOUSE,
   MANJAPRA VILLAGE, ALWAYE, ERNAKULAM.

2. KOCHAPPU ANTONY, PAYYAPPILLY,
   KORATTY, MUKUNDAPURAM TALUK, THRISSUR DISTRICT
   KERALA STATE REPRESENTED BY POWER OF ATTORNEY
   HOLDER SUNNY (SEBASTIAN), S/O. KURIAN,
   KANNAMPUZHA HOUSE, MALAYATTOOR VILLAGE,
   ALWAYE TALUK, ERNAKULAM.

BY ADV. SRI.P.SANTHALINGAM

RESPONDENTS:

---

1. STATE OF KERALA, REPRESENTED BY THE
   CHIEF SECRETARY, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. STATE LAND BOARD, THIRUVANANTHAPURAM.

3. TAHSILDAR, ALWAYE.

BY GOVERNMENT PLEADERV.T.K.MOHANAN

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 01/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.SASIDHARAN NAMBIAR,J.

R.P .NO.322 OF 2005

Dated 1st January 2007

O R D E R

Revision petitioner has filed this petition to review the order passed by this court on 22/3/2005. C.R.P was filed by petitioner challenging the order of Taluk Land Board directing to surrender 5.77.625 acres of land. It was contended in the revision that because of purchase certificate obtained from Land Tribunal property is to be excluded. As per order dated 22/3/2005 this court upheld the order of Land Board holding that purchase certificate relied on by second petitioner is not binding on the Land Board as it is proved that tenancy was created subsequent to 1/1/1970. Though protection was claimed under Section 6(C) of the Kerala Land Reforms Act, this court rejected that claim also. This petition is filed to review that order contending that right of second petitioner is protected by Kerala Stay of Eviction Proceedings Act which was being enacted annually and therefore the order is to be reviewed. I do not find

any sufficient ground to review that order as sought for. Remedy of the petitioner is to challenge the order before the Apex court. As there is no apparent error or other sufficient reason to review the order, this review petition is dismissed.

M.SASIDHARAN NAMBIAR,
JUDGE.

uj.

==========

M.SASIDHARAN NAMBIAR,J.

ORDER

R.P.No.322 OF 2005

1st January 2007

==========